

CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
July 31, 2006

1. CALL TO ORDER

Vice-President Munro called the meeting to order at 7:00 p.m. The meeting was held in the Tigard Civic Center, Red Rock Creek Conference Room, at 13125 SW Hall Blvd.

2. ROLL CALL

Commissioners Present: Vice-President Munro; Commissioners Brown, Buehner, and Meads. Also present was Jeremy Vermilyea, Commission alternate.

Commissioners Absent: President Inman, Commissioners Caffall, Harbison, and Walsh

Staff Present: Barbara Shields, Long Range Planning Manager; Denver Igarta, Associate Planner; Jerree Lewis, Planning Commission Secretary

3. PLANNING COMMISSION COMMUNICATIONS AND COMMITTEE REPORTS

Jeremy Vermilyea will be appointed as a Planning Commissioner at the August 8th City Council meeting to fill Teddi Duling's unexpired term.

Commissioner Meads said the Park and Recreation Advisory Board have not met since the last Planning Commission meeting.

Commissioner Buehner advised that the Planned Development Code Review Committee has reported to Council on the proposed ordinances. Council was pleased with the work and gave the approval to begin the public hearing process.

4. APPROVE MEETING MINUTES

There was not a quorum present, so the minutes could not be approved.

5. GOAL 5

Associate Planner Denver Igarta gave a PowerPoint presentation on Goal 5 Habitat Protection (Exhibit A). He advised that the Washington County Basin Partners have been developing a program to address fish and wild protection. Tonight will be a discussion about habitat

protection. Goal 5 is a statewide planning goal. This project involves 2 resources – wildlife and the riparian corridor.

The Commissioners were asked for their personal impressions of wildlife in their neighborhoods:

Commissioner Buehner thinks of the western side of the City, i.e., the Summer Lake area and Summer Creek. There is a lot of energy and interest by homeowners in that area to restore the wetlands along the creek and lake. She doesn't see Fanno Creek on a regular basis.

Commissioner Meads lives in the NE section of the City. She doesn't have access to a creek; she mainly sees commercial areas, density, and traffic. There's not much natural area in her part of the City that can be accessed and appreciated. There is no bus service and no sidewalks. She sees a lack of balance.

Commissioner Brown said his sense of place is connected to Fanno Creek and downtown Tigard. He said it is also becoming defined by the amount of new construction on McDonald Street and Hall Blvd. He believes natural areas are diminishing.

Commissioner Buehner said that as she looks from the NE side of Bull Mountain, she sees trees and a view of Mt. Hood. There won't be anymore development around her. She would like the City to get the land in the Hillshire subdivision that was dedicated for parks.

Commissioner Munro lives in the Summer Lake area. She crosses Fanno Creek every day and sees nutria. She is surrounded by natural features, although there is a concrete bridge over the creek.

Jeremy Vermilyea sees Tigard as a town of extremes. His property backs up to approximately 6 acres of forest. They see deer and there is a nearby creek. They go to Summer Lake regularly and take their dog to the dog park. The other extreme is the 99W Corridor and the commercial part of Tigard. There is also the industrial part along the freeway. He does not think there's a lot of integration between the 3 areas. Tigard could use a little more balance.

Igarta advised that habitat areas include stream corridors, wetlands/riparian areas, and upland habitat (trees). Threats to habitat include insensitive development, loss of vegetation, contaminated runoff, and altered hydrology.

Tigard's Comprehensive Plan includes an overall purpose statement (to protect resource lands from urban development encroachment and retain natural resources) and other natural resource policies to protect the habitat. Metro and the Tualatin Basin Partners have developed a policy to conserve, protect, and restore a continuous ecologically viable streamside corridor system. There are no specific goals in the Tigard Comprehensive Plan that talk about protection or restoration of environmental resources, only policies.

The Commissioners were asked to give their own definitions of conservation, protection and restoration. The following responses were given:

Conservation: Don't let land be used to begin with; do not bring change; do not alter; more radical choice – don't let people build

Protection: If land is used, it's done in a prudent and sensitive manner; protection is more subjective; protection allows you to "massage" policy

Restoration: Fix it; restore land back to its natural state; go back and recreate or come up with a complementary feature; benchmarks are difficult

Commissioner Buehner referred to the Maplecrest development that the Planning Commission approved last year. The developer put in fewer houses, did some restoration in the wetland area, did some mitigation by adding culverts, had a nature path, and put a bridge over the creek. All mitigation was done on site.

The Planning Commission discussed the difficulties of establishing benchmarks for restoration and to what extent mitigation should be allowed off-site, if at all. Commissioner Buehner would like to see some kind of sliding scale for development on steep slopes.

Staff advised that there was a change in the Goal 5 program approach with Measure 37. The focus shifted away from regulatory restrictions on development and concentrated more on keeping existing regulations and encouragement of a more voluntary incentive approach. The Basin Partners have adopted a map to include the upland area (hilly steep areas with trees and forests) which goes outside of the riparian area.

Staff reviewed the limitation map with the Commission and discussed the 3 levels of development limitations. Lightly limit applies to upland areas; moderately limit applies to the riparian areas; and strictly limit applies to the vegetated corridor (streams, floodplains, natural drainageways, wetlands). The Basin program approach is primarily focused on flexibility in the Development Code and habitat-friendly development. Another significant protection that the City has in place is Safeharbor, which follows major streams in Tigard and provides Goal 5 protection. For outside stream areas, the City has a tree removal ordinance in place.

Commissioner Buehner noted that there has been a working relationship between CWS and the City. She is concerned because CWS is putting together a large fee increase; however, none of the increase will go to the City. This will put more of a burden on the City for restoration activities.

Staff advised that there are not any proposed new development restrictions with this program. The Basin is focusing on habitat-friendly development techniques which reduce the impact on

surrounding habitat areas. One way is to reduce the development footprint. The Commission was shown examples of some of the techniques.

Staff advised that the Tualatin Basin Partners finalized their program last spring and are waiting for Metro to adopt it. In the meantime, the Partners are still required to meet and implement some habitat-friendly development practices as code amendments. Tigard's Development Code has several existing regulations that substantially meet about half of the recommendations made by the Basin Partners. Code amendments would be required for modifications/allowances in 4 categories (lot dimensions, density/buildable area, landscaping, and reduced pavement). Examples were given of possible code amendments.

Staff noted that some of the flexibility in development review is applied to the vegetative corridor which is already protected. The habitat areas outside the vegetative corridor have no protections in place. This may be a good opportunity to include code amendments that would provide protections to those areas outside of the vegetative corridor. Commissioner Buehner suggested having standard subdivisions come to the Planning Commission and use the same provisions as planned developments.

Metro requires that jurisdictions make their code amendments within a year of the Basin Partners' program being accepted by Metro. If we would like to include protection to areas outside the vegetative corridor, it would require map adoption and text change.

Igarta discussed the gap analysis for on-site density transfer/lot size averaging. The Basin Partners recommend allowing 100% of development to be transferred from habitat areas to the remainder of the site; Tigard allows 25% of the density to be transferred. Igarta advised that the City is obligated to consider Basin recommendations and come up with valid findings why we can't incorporate them. If we do this, we essentially meet the Basin's requirements.

If the City wants to give incentives (e.g., density transfers, smaller lot sizes, narrower streets, setbacks), Commissioner Buehner suggested we provide developers with the maximum amount of flexibility through the Planned Development process.

Igarta advised that Metro requires us to complete code amendments and be in compliance with Metro's Title 13 program by end of this year. This deadline can be extended if necessary. There is also a question as to when the State will acknowledge Metro's program. In the meantime, staff will be working on two types of amendments – housekeeping amendments and others that are more complex. Staff will come back to the Planning Commission for recommendations.

Commissioner Buehner suggested that staff meet with the new Commissioners separately to bring them up to speed on the PD code and Goal 5 issues.

6. OTHER BUSINESS

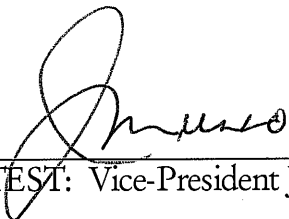
Barbara Shields announced that she was leaving the City, effective August 4th.

7. ADJOURNMENT


The meeting adjourned at 8:39 p.m.






Jerree Lewis, Planning Commission Secretary



ATTEST: Vice-President Judy Munro



GOAL 5 HABITAT PROTECTION



Why Protect Habitat Areas?

Quality of life:

- Access to nature
- Healthy fish and wildlife
- Risk of natural hazards
- Future generations


Future growth

- Natural vs. built environment

Makes Tigard...Tigard!

- Contributes to the "sense of place"

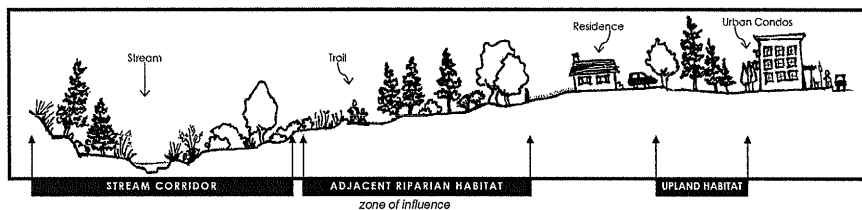
e.g. Fanno Creek



What are Habitat Areas?



HABITAT CROSS-SECTION



Development Threats to Habitat?

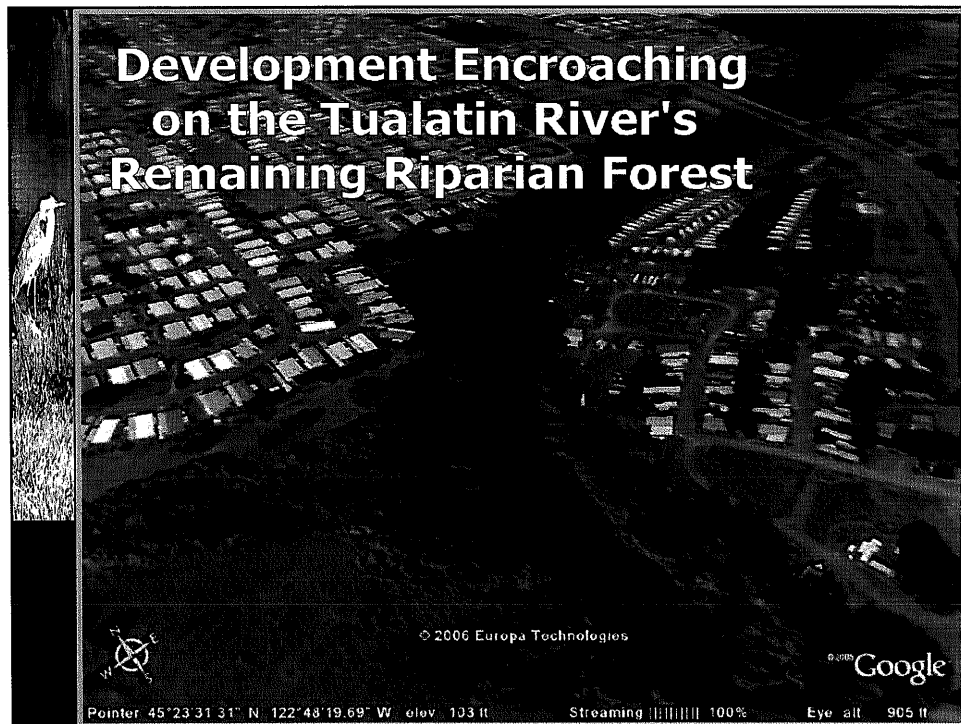
Insensitive Development

Loss of Vegetation

Tualatin River @ Cook Park

Contaminated Runoff
Altered Hydrology






Natural Resource Policies

- Overall Purpose
 - Protect resource lands from urban development encroachment
 - Retain natural resources which contribute to livability
- Natural Features Policies (3.4.1 & 3.4.2)
 - Areas of Significant Environmental Concern: includes areas valued for their fragile character as habitats
 - Protect fish and wildlife habitat along stream corridors...
- Conserve, protect and restore a continuous ecologically viable streamside corridor system... and with their floodplains in a manner that is integrated with the surrounding urban landscape.

The slide features a dark background with a vertical strip on the left containing two logos: 'Tigard Comp Plan' and 'Tualatin Basin & Metro'. The main content is titled 'Natural Resource Policies' and consists of a bulleted list of policy points. The text is white and clearly legible against the dark background.



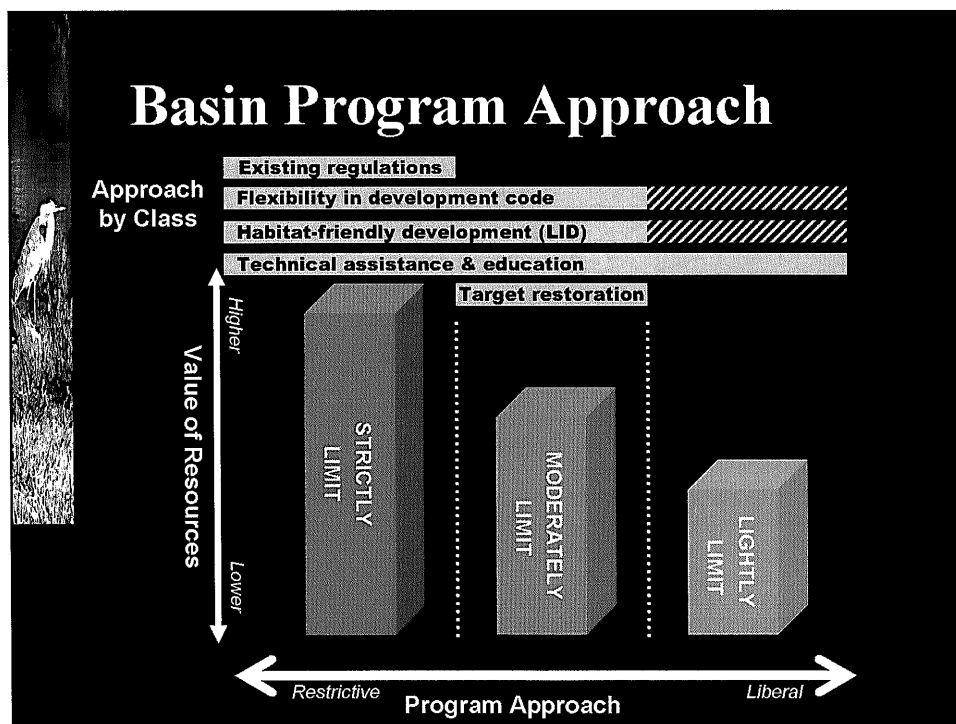
Environmental Definitions

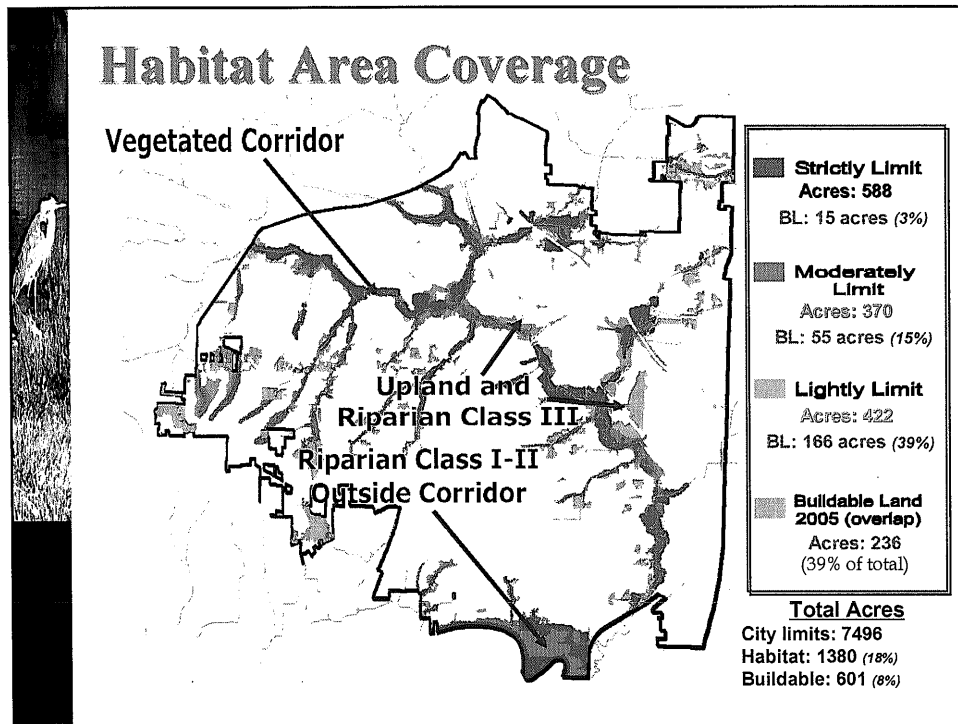
"The overall goal is to conserve, protect and restore a continuous ecologically viable streamside corridor system, from the streams' headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with the surrounding urban landscape. This system will be achieved through conservation, protection and appropriate restoration of streamside corridors through time."

Conservation:
Manage in a manner that avoids wasteful or destructive uses.
(OR DSL / DLCDC)

Protection:
Limit or prohibit uses that conflict with a significant resource site
(DSL / DLCDC)

Restoration:
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions. (EPA)





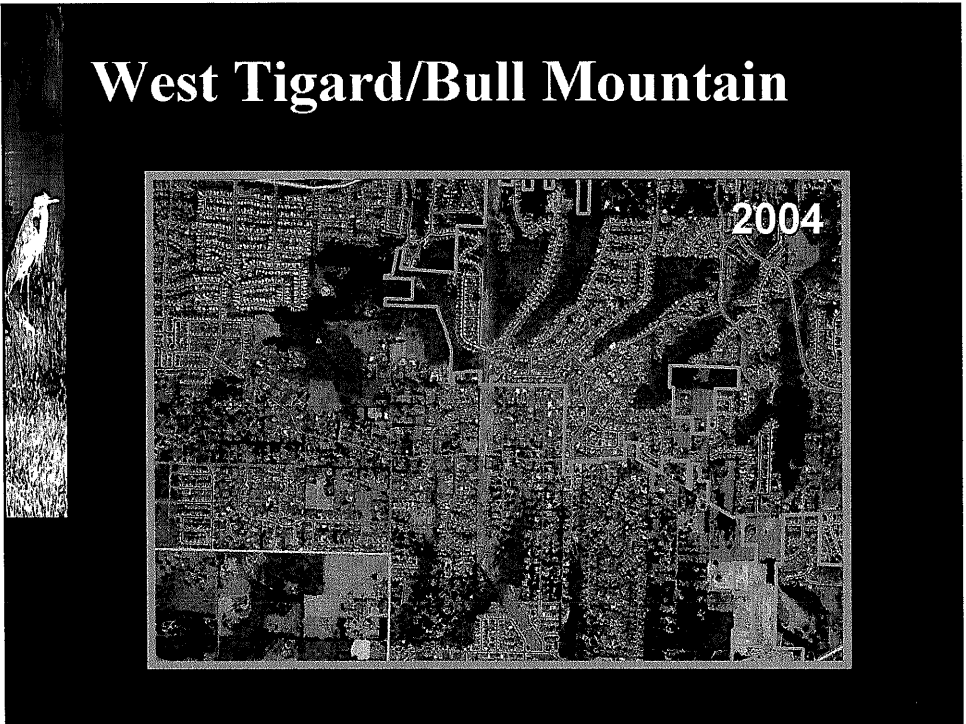
Habitat-friendly Development

Reduce the detrimental impacts of development on surrounding habitat areas

How?

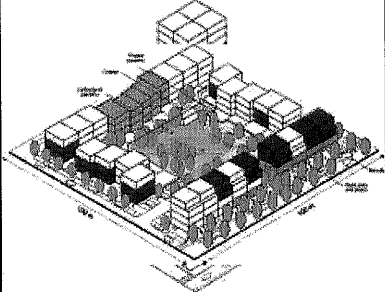
- Remove barriers to the implementation of habitat-friendly (low impact) development practices
- Develop guidelines (code provisions) to encourage habitat-friendly development practices





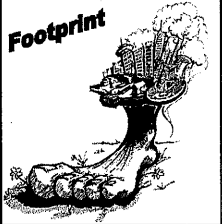
Site Design: Built-Natural Environment

Building Height & Lot Coverage
30 unit/acre



MEDIUM RISE
MEDIUM SITE COVERAGE

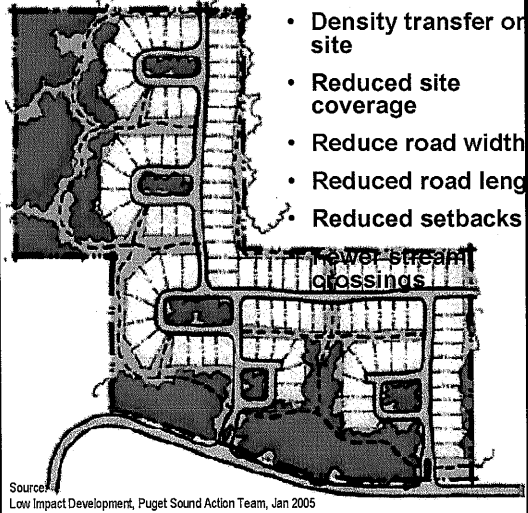
Footprint



Source: Illustrations by Andrew Wright Associates for the Urban Task Force, *Towards an Urban Renaissance*, 1999


Site Design: Built-Natural Environment

Road Layout & Open Space



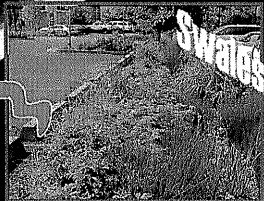





- Density transfer on site
- Reduced site coverage
- Reduce road width
- Reduced road length
- Reduced setbacks

TYPICAL GRID ROAD LAYOUT




Source: Low Impact Development, Puget Sound Action Team, Jan 2005

Habitat Friendly Techniques



Source: Portland Bureau of Environmental Services Stormwater Manual




Tigard Code Review

Review existing regulations for consistency with “habitat-friendly development” recommendations for the Tualatin Basin.

Summary of Findings

- 11 recommendations were determined to be substantially met by existing regulations
 - Lot Coverage Flexibility
 - Parking Ratios
 - Shared Driveways & Parking
 - Parking Stall Dimensions
 - Parking Lot Landscaping
 - Location of Landscaping
 - Use of Native Plants
 - Tree Canopy Preservation
 - Minimum Lot Size Reduction
 - Maximize Street Tree Coverage
 - Use Stormwater Management Facilities



Tigard Code Review

Summary of Findings (cont.)

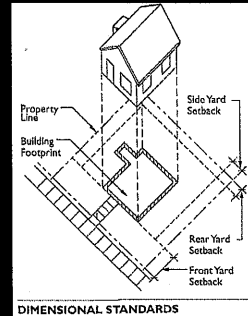
- Amendments to local ordinances would be required for the following 11 proposed methods:

Lot Dimensions	Density / Buildable Area	Landscaping Requirement	Reduce Paved Area
<ul style="list-style-type: none"> ■ Adjust lot area (width, depth & frontage) ■ Adjust maximum building height ■ Adjust minimum setback 	<ul style="list-style-type: none"> ■ Adjust minimum density ■ Allow onsite density transfer ■ Modify net buildable area 	<ul style="list-style-type: none"> ■ Vegetated facilities count as required landscaping ■ Promote soil amendment 	<ul style="list-style-type: none"> ■ Reduce road widths for habitat areas & stream x-ings ■ Reduced sidewalk width ■ Allow pervious paving

Code Amendment: Example 1 Lot Dimension Adjustments

Sensitive Lands – 18.775.100 (Adjustments)

- Up to 50% adjustment to any dimensional standard ...within or adjacent to the vegetated corridor area.
 - Lot area (width & depth)
 - Building Height
 - Setback



Possible Code Change

- Extend area eligible for adjustment to include significant habitat areas.

Source: *Planning & Urban Design Standards*
APAWiley & Sons (2006)

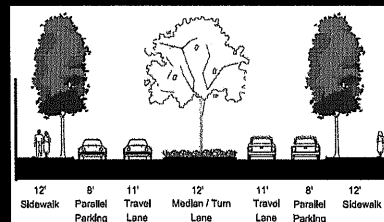
Code Amendment: Example 2 Street & Sidewalk Width Adjustment

Street Improvement Standards – 18.810.030.A.7.

- May approve adjustment to standards...if compliance with standards will result in an adverse impact on natural features such as wetlands, steep slope, or existing mature trees.
- Minimum widths by street type are shown on Table 18.810.1

Possible Code Change

- Add habitat areas to list of natural features.





Policy Considerations

Innovative Design

- Flexible Lot Dimensions and Existing Neighborhood Character
- Reduce Impervious Surface / Runoff and Street & Parking Design Standards

Accommodating Growth

- Buildable Land and Habitat Protection

Development Review

- Streamlined Permit Process and Design Review



Next Steps

- Coordinate “habitat friendly” code amendments with the City’s Comprehensive Plan update process
- Define plan of action for amending the Community Development Code
- Recommend code amendments for consideration by the Planning Commission and City Council
- Adopt “habitat-friendly” code amendments